

(2) Unless otherwise decided by the Parties, nuclear material, material, equipment and technology contained in Annex A shall be subject to this Agreement.

(3) The Parties may, in particular circumstances not covered in paragraphs (1) and (2) above, apply mechanisms other than those set forth in this Agreement in order to (a) make items subject to the Agreement or (b) remove items from coverage of the Agreement. There shall be prior written agreement between the Parties in each case on the conditions under which such mechanisms are to be applied.

(4) The appropriate governmental authorities of both Parties shall establish notification and other administrative procedures in order to implement the provisions of this Article, including the principles of proportionality and equivalence applicable to nuclear material.

#### ARTICLE V

Nuclear material, material, equipment and technology subject to this Agreement shall not be transferred beyond the jurisdiction of a Party to this Agreement to a third party without the prior written consent of the other Party. An agreement to facilitate the implementation of this provision may be established by the Parties.

#### ARTICLE VI

Nuclear material subject to this Agreement shall not be enriched to twenty (20) percent or more in the isotope U 235 or reprocessed without the prior written consent of both Parties. Such consent shall include the conditions under which the resultant plutonium or uranium enriched to twenty (20) percent or more may be stored and used. An agreement to facilitate the implementation of this provision may be established by the Parties.

#### ARTICLE VII

(1) Nuclear material, material, equipment and technology subject to this Agreement shall not be used to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices. The use, development or application of nuclear energy for peaceful purposes shall not include the development, manufacture, acquisition or detonation of nuclear devices.

(2) With respect to nuclear material, the commitment contained in paragraph (1) of this Article shall be verified pursuant to the safeguards agreements